

# HOUSE RESEARCH

## Bill Summary

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### Overview

Current law prohibits employment discrimination against any service member or any person who is considering joining the military, making it a gross misdemeanor to do so.

This bill extends that law by also prohibiting employment discrimination of any type against any person because of the membership of that person's parent, spouse, or child in the U.S. Armed Forces.

An employer who violates this section is liable for the cost of damages, plus costs and reasonable attorney's fees. Any violation also constitutes a gross misdemeanor crime.

The employee must provide reasonable notice to the employer, who in turn must provide reasonable time off and may not force the employee to use vacation time for these events.

### Background

*The United States Armed Forces* includes the Army, Navy, Marine Corps, Air Force and Coast Guard, as well as the reserve component of each of those branches, and including the Army and Air National Guard of each state, as well.

**Section**

*Maximum criminal penalties for a gross misdemeanor crime* include a fine of \$3,000 and one-year of incarceration in a local (county) jail. In practice, maximum criminal penalties are seldom prescribed, unless stayed in lieu of probation and alternative sanctions.